

REMARKS/ARGUMENTS

In response to the Office Action dated June 19, 2003, Applicants have cancelled claims 6-7 and 18-26. Claims 1-5 and 8-17 remain in this application. In addition, Applicants file herewith a Terminal Disclaimer to traverse the rejections to claims 1-5 and 8-17. The cancellation of claims 6-7 and 18-26 are made without prejudice to presenting these claims in a continuation or other application.

In addition to the rejections to the claims, the Examiner has rejected the application on the basis that essential material is incorporated at bridging sentence of pp. 4-5 and at p. 6, lns. 18-19. Applicants respectfully disagree with the Examiner that the material incorporated therein is essential. The paragraph bridging pp. 4 and 5 is a discussion of the prior art. The two articles discussed chitin and some of its uses, while the patent is merely used as a description of the well-known material N, O-carboxymethylchitosan or NOCC. The *Hayes* United States Patent No. 4,619,995 issued in 1986. There are numerous other patents which describe NOCC and its properties since this time, including the two other patents cited by the Examiner. As such, the material from the *Hayes* Patent is not essential and the prohibition of incorporation of essential material is hereby traversed.

With respect to the the other incorporation by reference, that of United States Patent No. 4,615,697, this patent is cited to show a test procedure for bioadhesion. However, this test procedure was modified and another used. As stated in the same paragraph, the test procedure used is described in detail in Example 1 of the present application. Thus, the material incorporated from United States Patent No. 4,615,697 also is not essential. In addition, the incorporation by reference clearly delineated what material is incorporated, thus meeting the statutory requirement. Therefore, Applicants respectfully request that the Examiner withdraw this portion of the rejection.

With respect to the Examiner's question concerning the term "serous cavity" *Dorland's Illustrated Medical Dictionary* defines this as "a coelomic cavity, like that enclosed by the pericardium, peritoneum, or pleura, not communicating with the outside of the body, and whose lining membrane secretes a serous fluid." This is how it is used in the present application. Applicants, therefore, traverse the rejection of claim 15 under 35 USC §112, second paragraph.

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CONCLUSION

Applicants have respectfully traversed the Examiner's rejection to the purported improper incorporation by reference and §112, second paragraph. In addition, Applicants have cancelled claims 6-7 and 18-24, which traverses the Examiner's rejection of those claims. The Terminal Disclaimer filed herewith traverses the Examiner's rejection of claims 1-17. Accordingly, Applicants consider that the application, as amended, is now in condition for allowance. Prompt notification of allowance is requested. If the Examiner has any questions, the undersigned attorney asks that he contact him by telephone.

Respectfully submitted,

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